



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant(s) : Daniel D. Thaxton
Serial No. : 09/932,158
Filed : August 17, 2001
Title : SYSTEM AND METHOD FOR DISTRIBUTING SECURE
DOCUMENTS
Docket No. : STD 1066 PA/41213.313
Examiner : David Yiuk Jung
Art Unit : 2134
Confirmation No. : 4650

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AFFIDAVIT OF JAMES F. GOTTMAN

James F. Gottman, being sworn, states as follows:

- 1.) I am a partner in the law firm of Dinsmore & Shohl LLP, and am admitted to practice before the U.S. Patent and Trademark Office with registration number 27,262.
- 2.) I am currently prosecuted the above identified patent application, having received a power of attorney from the inventor dated August 13, 2001.
- 3.) The Examiner has requested an affidavit by applicant relating to the facts and circumstances regarding "United States Postal Service Quick Reference Guide; www.stamps.com; 2 pages; <http://www.stamps.com>" which was cited to the Examiner in an IDS dated September 16, 2002 (hereafter "the Stamps reference").
- 4.) The Stamps reference was noted by an employee of the assignee in September 2002 and Thomas E. Lees, the attorney then prosecuting the instant application, was advised of its existence. Mr. Lees reviewed the www.stamps.com website, noted that it included a copyright


Docket STD 1066 PA/41213.313

notice of "1998 - 2002," but could find no date specifically associated with the Stamps reference itself, nor with the NetStamps product that the Stamps reference discusses.

5.) As indicated in the response to the Office Action of December 16, 2004, the Stamps reference may be antedated by the August 17, 2001 filing date of the present application. The Stamps reference is a guide to the use of NetStamps, and NetStamps was not approved by the Postal Service until July 17, 2002, according to a story that appeared in the *Chicago Tribune* on that date.

6.) Applicant, applicant's assignee, and the undersigned are all unaware of the publication date of the Stamps reference.

7/20/05



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Sworn to and subscribed before me this 20th day of July 2005.

Kathy Ann Adams
Notary Public

KATHY ANN ADAMS, Notary Public
In and for the State of Ohio
My Commission Expires December 10, 2007